

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

CONSET PRELIMINARY ORDER
OF FORFEITURE/
MONEY JUDGMENT

MITZY BALDOVINO,

S2 21 Cr. 592 (LTS)

Defendant.

----- X
WHEREAS, on or about September 13, 2023, MITZY BALDOVINO (the “Defendant”), among others, was charged in two counts of a six-count Indictment, S2 21 Cr. 592 (LTS) (the “Indictment”), with conspiracy to commit health care fraud, in violation of Title 21, United States Code, Section 1349 (Count One); and money laundering conspiracy in violation of Title 18, United States Code, Section 1956(h)(Count Three);

WHEREAS, the Indictment included a forfeiture allegation as to Count One of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Section 982(a)(7), of any and all property, real and personal, that constitutes or is derived, directly or indirectly, from gross proceeds traceable to the commission of the offense charged in Count One of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense charged in Count One of the Indictment;

WHEREAS, on or about November 12, 2024, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code 982(a)(7), a sum of money equal to

\$445,686 in United States currency, representing the proceeds traceable to the commission of the offense charged in Count One of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$445,686 in United States currency representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained;

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorney Timothy Capozzi of counsel, and the Defendant and his counsel, Frederick L. Sosinsky, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$445,686 in United States currency (the "Money Judgment"), which represents the proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant MITZY BALDOVINO, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States

Customs and Border Protection, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance and Money Laundering Unit, 26 Federal Plaza, New York, New York 10278 and shall indicate the Defendant's name and case number

4. The United States Department of Treasury, or its designee, shall be authorized to deposit the payment on the Money Judgment into the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to 21 U.S.C. § 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.


7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure

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8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

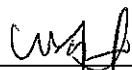
DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 

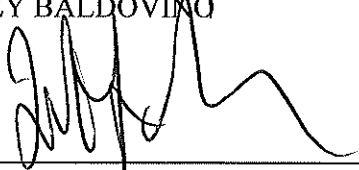
Timothy Capozzi
Assistant United States Attorney
26 Federal Plaza
New York, NY 10278
(212) 637-2404

11/12/24
DATE

MITZY BALDOVINO

By: 

MITZY BALDOVINO


By: 

FREDERICK L. SOSINSKY, ESQ.
Attorney for Defendant
45 Broadway, Suite 3010
New York, New York 10006

11/12/24
DATE

11/12/24
DATE

SO ORDERED:



HONORABLE LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

11/12/24
DATE